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JUL 20 2005

**FAX TRANSMISSION****DATE:** July 20, 2005**PTO IDENTIFIER:** Application Number 10/033,010

Patent Number

**Inventor:** Peter Camble et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** FULBRIGHT & JAWORSKI L.L.P.

Jerry L. Mahurin

**PHONE:** (214) 855-8386**Attorney Dkt. #:** 30014516-1**PAGES (Including Cover Sheet):** 6**CONTENTS:**

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Terminal Disclaimer (2 pages)

Communication Accompanying Terminal Disclaimer ... (2 pages)

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Application No.: 10/033,010

Attorney Docket No.: 30014516-1

## Certificate of Transmission Under 37 CFR 1.8

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Certificate of Transmission under 37 CFR 1.8 (1 page)

Terminal Disclaimer (2 pages)

Communication Accompanying Terminal Disclaimer ... (2 pages)

HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P. O. Box 272400  
Fort Collins, Colorado 80527-2400

PATENT APPLICATION  
ATTORNEY DOCKET NO. 30014616-1  
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CENTRAL FAX CENTER

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

JUL 20 2005

Inventor(s): Peter Camble et al.

Confirmation No.: 7850

Application No.: 10/033,010

Examiner: S. N. Nand

Filing Date: 12-28-2001

Group Art Unit: 2157

Title: SYSTEM AND METHOD FOR SECURING FIBER CHANNEL DRIVE ACCESS IN A  
PARTITIONED DATA LIBRARY

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

~~TERMINAL DISCLAIMER~~  
~~RESPONSIVE TO A DOUBLE PATENTING REJECTION~~

Sir:

Petitioner, Hewlett-Packard Development Company, L.P. is the owner of 100 percent interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 155 and 173 as shortened by any terminal disclaimer of prior Patent No. 6,715,031 to Hewlett-Packard Development Company, L.P. which issued on 03-30-2004 and is commonly owned by Petitioner. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

For submissions on behalf of an organization (e.g., corporation), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge and true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Rev 12/04 (TermDis)

Page 1 of 2

07/21/2005 SSITHIB1 00000096 082025 10033010

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**TERMINAL DISCLAIMER - DOUBLE PATENTING**  
(continued)ATTORNEY DOCKET NO. 30014816-1

Please charge the required fee set forth in 37 CFR 1.20(d) of \$130.00 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.18 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees.

(Note: An attorney or agent of record must sign this document.)

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Number of pages: 4

Typed Name: Susan Bloomfield

Signature: Susan Bloomfield

Respectfully submitted,

Peter Camble et al.

By [Signature]

L. Joy G. [Signature]

Attorney/Agent for Applicant(s)

Reg. No. 33,704

Date: 07-20-2005

Telephone No.: (870) 698-3884

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JUL 20 2005

HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, Colorado 80527-2400Docket No.: 30014516-1  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Peter Camble et al.

Application No.: 10/033,010

Confirmation No.: 7850

Filed: December 28, 2001

Art Unit: 2157

For: SYSTEM AND METHOD FOR SECURING  
FIBER CHANNEL DRIVE ACCESS IN A  
PARTITIONED DATA LIBRARY

Examiner: S. N. Nano

**COMMUNICATION ACCOMPANYING TERMINAL DISCLAIMER AND  
APPLICANTS' RECORD UNDER M.P.E.P. § 713.04 OF TELEPHONE INTERVIEW  
WITH EXAMINER**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant respectfully submits the following as Applicant's record under M.P.E.P. § 713.04 of the telephonic Interview of July 20, 2005, between Examiner Sargon N. Nano and Applicant's counsel, Jerry L. Mahurin (Reg. 34,661), concerning the above-identified U.S. Patent Application. No exhibits or demonstrations were used or discussed during the Interview.

The telephone interview was initiated by the Examiner in a voice mail left for Mr. Mahurin, on July 20, 2005. In successive phone calls on July 20, 2005 the following was discussed. A double patenting rejection vis-à-vis issued U.S. Patent No. 6,715,031 was raised by the Examiner and the Examiner invited Applicant to file a terminal disclaimer.

Application No.: 10/033,010

Docket No.: 30014516-1

Upon conferring with his client, Mr. Mahurin's inquired and the Examiner confirmed that the double patenting rejection was the only issue remaining in the case and that the case would be allowed upon filing of the Terminal Disclaimer. Mr. Mahurin then indicated that a Terminal Disclaimer would be filed.

Without addressing the propriety of the double patenting issue raised in the above-recorded telephonic Interview, Applicant submits the accompanying Terminal Disclaimer for entry. Further, the accompanying Terminal Disclaim is filed in reliance on the Examiner's indication that the present application is allowable but for the double patenting issue raised in the above-recorded telephonic Interview, and that the case will be allowed upon filing of the Terminal Disclaimer.

Because the presently pending claims are in condition for allowance, Applicants respectfully request a Notice of Allowance be issued.

Applicants believe no fee is due with this paper, beyond the Terminal Disclaimer fee dealt with in the Terminal Disclaimer itself. However, if an additional fee is due, please charge Deposit Account No. 08-2025, under Order No. 30014516-1, from which the undersigned is authorized to draw.


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Date of Deposit: July 20, 2005

Typed Name: Susan Bloomfield

Signature: Susan Bloomfield

Respectfully submitted,

By:   
Jerry L. Mahurin  
Attorney/Agent for Applicant(s)  
Reg. No. 34,661  
Date: July 20, 2005  
Telephone No. (214) 855-8386